

# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 041-16 2720 DE LA VINA STREET MODIFICATIONS JULY 6, 2016

#### **APPLICATION OF LISA STIDD SILVER ARCHITECT FOR WILLIAM MELLER FAMILY LLC, 2720 DE LA VINA STREET, APN: 051-220-021, C-2/SD-2 ZONES, GENERAL PLAN DESIGNATION: COMMERCIAL-MEDIUM HIGH RESIDENTIAL (MST2016-00114).**

The 12,000 square foot parcel is developed with an existing 3,857 square foot non-residential building. The proposed project involves a change of use from retail to restaurant/wholesale, an interior remodel, minor façade alterations, new rooftop equipment, and site alterations including restriping the parking lot, new bicycle parking, new outdoor dining, and new landscaping.

The discretionary applications required for this project are:

1. Front Setback Modification to allow door and window alterations to the existing non-residential building located within the required 20-foot front (west) setback (SBMC §28.45.008, SBMC §28.87.030 and SBMC §28.92.110).
2. Interior Setback Modification to allow storage of trash/recycling bins to encroach within the required 10-foot interior (east) setback, adjacent to a residential zone (SBMC §28.66.060, and SBMC §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15303.

**WHEREAS**, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 30, 2016.
2. Site Plans

**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:

- I. Approved the subject application making the following findings and determinations:
  - A. The Front Setback Modification to allow minor door and window façade alterations is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement on the lot. The existing building is nonconforming to the SD-2 setback, and the minor alterations are not likely to pose any negative impacts to the surrounding neighbors or the public street frontage.

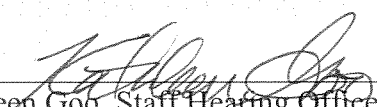
**B.** The Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement on the lot. The proposed location of the trash/recycling bins is appropriate because it will be screened from public view, and it will not adversely impact the residential neighbors (east) because it is adjacent to the carport structure and it is adjacent to the parking area for the commercial neighbor (north).

**I.** Said approval is subject to the following conditions:

- A.** A perimeter planter a minimum of five feet in depth shall be included along the north rear property line between the parking/turn around space and the property line wall/fence.
- B.** “No Parking, Loading/Delivery Only” shall be painted and maintained on the pavement in the two proposed loading/delivery/turn around spaces at the rear of the parking lot.

This motion was passed and adopted on the 6<sup>th</sup> day of July, 2016 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

  
\_\_\_\_\_  
Kathleen Goo, Staff Hearing Officer Secretary

  
\_\_\_\_\_  
Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for **Architectural Board of Review (ABR)** approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.

6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
  - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
  - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
    - i. an Issuance of a Certificate of Occupancy for the use, or;
    - ii. one (1) year from granting the approval.

